SECOND AMENDED SCHEDULE FOR ALL LOCAL COURT RULES

The Indiana Supreme Court Division of State Court Administration, a statutorily created office of the Chief Justice of Indiana, is charged pursuant to Trial Rule 81 with certain duties regarding the promulgation of local court rules. Those duties include establishing and publishing a uniform annual schedule for adoption and amendments of local rules, and a standard format for drafting, amending, and numbering local rules. In addition, Administrative Rule 1(E), which becomes effective January 1, 2006, requires that the Division establish and publish a schedule for the formation and adoption of local rules for caseload allocation plans.

In order to allow sufficient time for statewide statistical reports to be collected and compiled for use in the local caseload allocation plans and to maintain the same schedule for the promulgation of all local rules, this schedule is amended with additions indicated by underlining and deletions by strikethrough.

Effective January 1, 2007, all local rules in a county must apply in all courts of record in the county. However, after that date local rules may apply only to certain types of cases as long as they apply in all courts.

1. **Schedule**

Pursuant to Trial Rule 81(C), the following schedule shall apply for local rules promulgated after January 1, 2005, except those that fall under the exception of T.R. 81(D).

Notice of proposed local rules (Includes caseload allocation plans)	June 1
Close of Comment period	July 1
Final approval by local courts	July 2 to July 31
Submission for Supreme Court approval (as to rules specified in Section 8)	August 1
Supreme Court action (as to rules specified in Section 8)	October 1
Revised rules under Section 8 due before Supreme Court	November 1
Final Supreme Court action on resubmitted rules under Section 8	November 15

Effective date of Local Rules   January 1

2. **Content of the Notice**

Not later than June 1 of each year the courts in any county desiring to adopt or modify local rules shall give notice to the bar and public of the content of any proposed additions, modifications, or deletions to local rules. The notice shall include:

(a) the address to which comments should be sent;
(b) comments by the bar and public will be received until July 1;
(c) the proposals will be adopted, modified, or rejected by July 31;
(d) the rules requiring Supreme Court approval will be submitted to the court
by August 1;
(e) that certain local rules (list) may not take effect until approved by the
Supreme Court; and
(f) the effective date of the proposed rules shall be January 1of the following
year.

3. **Standard Format for Drafting and Amending Local Rules**

All proposed local rules not yet effective shall be marked by new text shown by underlining and the deleted text shown by ~~striking~~. All rule modifications or additions must clearly indicate old and new language.

4. **Publication of the Notice**

Publication of the notice is accomplished when the courts of a county provide the notice indicating the text of the proposed local rule(s) to the county clerk and to the Division of State Court Administration in digital format. The county clerk shall post the notice in the county clerk's office(s) and on the county clerk's website, if any. The Division of State Court Administration shall post the proposal on the Indiana Judicial Website for public inspection and comment. Notice shall also be given to the president and secretary (or, if none similar officers) of any local bar association.

5. **Close of Comment Period**

The courts of the county shall accept comments for 45 days, until July 1. After July 1, the courts shall review and study the comments received and make changes to the proposed rules as deemed advisable.

6. **Adoption of Local Rules**

The court shall adopt the final local rules on or before July 31 of each year.

7. Effective Date of Local Rules

All local rules, whether or not requiring Supreme Court approval, shall become effective January 1 of the following year.

8. Local Rules that Require Supreme Court Approval

(a) Supreme Court approval is required only for local rules within any of the following categories:

i. local rules for special judge selection in civil cases pursuant to T.R. 79(H);

ii. local rules for assignment of criminal cases and selection of successor judges pursuant to Criminal Rule 2.2;

iii. local rules regarding court reporter services pursuant to Administrative Rule 15;

iv. local rules on case reallocation plans pursuant to Administrative Rule 1(E).

All courts of record in each county are required to have a common local rule in each of the above categories.

(b) Not later than August 1 of each year, the court shall submit to the Supreme Court all newly adopted local rules that require Supreme Court approval by sending a Request for Approval of Local Rules to the Clerk of the Indiana Supreme Court. (See Appendix A for a form Request for Approval of Local Rules.)The Clerk shall enter the Request in the Supreme Court Chronological Case Summary and shall forward the Request to the Division of State Court Administration.

(c) The Supreme Court will act upon Requests not later than October 1. The Supreme Court may approve the proposal as submitted, approve a modified version, or reject the proposal.

(d) The Supreme Court order approving the Request for Approval of Local Rules shall be entered of record in the Record of Orders and Judgments of each local court in which it is effective.

(e) A local rule requiring Supreme Court approval is not effective until the Supreme Court enters an order approving it and until the local rule is posted pursuant to T.R. 81(D).

9. Uniform Numbering

The uniform local rule numbers shall consist of five (5) groups of characters. They shall (a) identify the draft as a local rule, (b) the county, (c) the Supreme Court rule set to which the local rule pertains, (d) the Supreme Court rule number to which the local rule refers, and (e) the local sequence. The five sets of characters shall be separated by dashes.

(a) LR designation. The first set of characters of a local court rule number shall be "LR" to indicate a local court rule.

(b) County identifier. The second set of characters of a local court rule number shall be a two-digit county identifier which comports with the county identifiers found in Administrative Rule 8.

The "LR" designation and county identifier shall be followed by a dash.

(c) Rule sets and priority for organizing local rules. The third set of characters of a local court rule number shall indicate the state rule set to which the local rule pertains. The rule set identifier shall consist of two letters and shall be as follows:

Rules of Trial Procedure	TR
Rules of Criminal Procedure	CR
Small Claims Rules	SC
Petitions for Post Conviction Relief	PC
Jury Rules	JR
Administrative Rules	AR
Trial De Novo Rules	DN

As a first preference and to the extent possible, local rules should be correlated to the Indiana Rules of Trial Procedure in content and numbering and should be designated as "TR." Local rules that cannot logically fit within the context of the trial rules may be correlated to one of the remaining Supreme Court rule sets.

Local rules for domestic relations, trust/probate/guardianship and juvenile cases, which cannot logically fit into one of the Indiana Rules of Trial Procedure or one of the foregoing sets of Supreme Court Rules, may be designated as follows:

Family Law	FL
Trust/Probate/Guardianship	PR
Juvenile	JV

A court that proposes to promulgate local rules that cannot logically fall under the foregoing rule set designations should contact the Division of

State Court Administration with suggestions and reasons for amendments to the foregoing rule sets.

(d) State level rule set numbers. The fourth set of characters of a local court rule number shall identify the state level rule set to which the local rule relates.

In the event a local rule relates to a state rule set but is purely of a local nature and has no corresponding number within the state rule set, the state rule number shall be "00" so that there is no possibility of duplication.

The state level rule set and rule number shall be followed by a dash.

(e) Local sequence. The fifth set of characters shall consist of any number of characters assigned by the local courts to indicate a local sequence.

Example of an Adams County rule on criminal case assignment: LR01-CR2.2-1

Example of a Marion County rule on dress code:

LR49-AR00 -1 . A local rule regarding dress code would fit under the general context of the state level Administrative Rules (AR). However, because there is no state rule regarding dress code, the fourth set of characters would be "00."

These standards shall remain in effect until amended.

Last Amended November 30, 2005.
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Division of State Court Administration